

Notice of Allowability

Application No.

10/764,099

Applicant(s)

WANKMUELLER, JOHN

Examiner

Uyen-Chau N. Le

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/02/2007.
2. ☒ The allowed claim(s) is/are 1-3, 6, 8-11, 14, 16-19, 22, 24 and 25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20071027</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

Prelim. Amdt/Amendment

1. Receipt is acknowledged of the Amendment filed 11/02/2007.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeremy Merling on 22 October 2007 and 25 October 2007 in order to place the instant application in the proper form for an allowance by incorporating the limitations of dependent claims 7, 15 and 23 into each of the independent claims 1, 9, 17 and 25 respectively.

The application has been amended as follows:

Re claim 1: Please substitute claim 1 with the following

- 1. A method for conducting a secure transaction using voice authentication wherein payment is processed from a payment account comprising:

providing a database of payment account entries, wherein each entry comprises at least a first voice sample associated with a holder of said payment account;

providing payment account information associated with said payment account via a voice telephone call, said payment account information to be used for conducting said transaction;

determining if the payment account participates in voice authentication services;

transmitting an authentication request, formatted according to the 3-D Secure authentication protocol, including said payment account information to an issuer server;

triggering automatically a telephone call to said holder of said payment account;

generating a second voice sample by sampling one or more voice characteristics of said holder of said payment account; ~~and~~

using voice authentication technology to compare said first voice sample to said second voice sample to determine whether said transaction is authorized by said holder of said payment account; and

wherein said authentication request includes at least a device category data field, an authentication request channel data field, a cardholder phone number data field and a voice channel transfer method data field. --

Re claim 7: Please cancel claim 7 without prejudice and/or traverse.

Re claim 9: Please substitute claim 9 with the following

- 9. A method for conducting a secure transaction using voice authentication wherein payment is processed from a holder's payment account comprising:
- providing a database of payment account entries, wherein each entry comprises at least a first voice sample associated with a holder of said payment account;
 - receiving payment account information associated with said payment account via a voice telephone call, said payment account information to be used for conducting said transaction;
 - determining if the payment account participates in voice authentication services;
 - transmitting an authentication request, formatted according to the 3-D Secure authentication protocol, including said payment account information to an issuer server, said authentication request triggering automatically by said server a telephone call to said holder;
 - using voice authentication technology to authenticate the voice of said holder for purposes of authorizing said transaction; ~~and~~
 - authorizing said transaction as a function of said authentication; and
 - wherein said authentication request includes at least a device category data field, an authentication request channel data field, a cardholder phone number data field and a voice channel transfer method data field. --

Re claim 15: Please cancel claim 15 without prejudice and/or traverse.

Re claim 17: Please substitute claim 17 with the following

- 17. A method for conducting a secure transaction using voice authentication wherein payment is processed from a payment account comprising:
- providing a database of payment account entries, wherein each entry comprises at least a first voice sample associated with a holder of said payment account;
 - determining if the payment account participates in voice authentication services;
 - receiving payment account information associated with said payment account via a voice telephone call, said payment account information to be used for conducting said transaction;
 - receiving an authentication request, formatted according to the 3-D Secure authentication protocol, including at least said payment account information in connection with conducting said transaction;
 - triggering automatically a telephone call in response to said request to said holder of said payment account;
 - generating a second voice sample by sampling one or more voice characteristics of said holder of said payment account; ~~and~~
 - using voice authentication technology to compare said first voice sample to said second voice sample to determine whether said transaction is authorized by said holder of said payment account; and

wherein said authentication request includes at least a device category data field, an authentication request channel data field, a cardholder phone number data field and a voice channel transfer method data field. --

Re claim 23: Please cancel claim 23 without prejudice and/or traverse.

Re claim 25: Please substitute claim 25 with the following

-- 25. A system for conducting a secure transaction using voice authentication, comprising:

a server computer subsystem, said server computer subsystem comprising information relating to at least one payment account including at least a first voice sample of an account holder of said payment account;

an automated voice response subsystem; and

a voice authentication subsystem,

wherein said server computer subsystem determines if the payment account participates in voice authentication services, further wherein said automated voice response subsystem connects a call to said account holder to obtain a second voice sample of said account holder's voice, and further wherein said voice authentication subsystem compares said first voice sample to said second voice sample to determine whether the transaction is authorized by said account holder, and

wherein said automated voice response subsystem receives an authentication request and transmits an authentication response, wherein said payment account information is provided via a voice telephone call and further wherein said authentication request and said authentication response are formatted according to the 3-D Secure authentication protocol, and

wherein said authentication request includes at least a device category data field, an authentication request channel data field, a cardholder phone number data field and a voice channel transfer method data field. --

Allowable Subject Matter

3. Claims 1-3, 6, 8-10, 11, 14, 16-19, 22, 24 and 25 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The prior art of records to Fromm, Woo and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure or the method for conducting a secure transaction using voice authentication wherein payment is processed from a payment account comprising, among other things, a combination feature of providing/receiving payment account information associated with said payment account via a voice telephone call, transmitting an authentication request, formatted according to the 3-D Secure authentication protocol, including said payment account information to an issuer server, wherein said authentication request includes at least a device category data field, an authentication request channel data field, a cardholder phone number data field and a voice channel transfer method data field as set forth in the claimed combinations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on maxi-flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Uyen-Chau N. Le
Primary Examiner
Art Unit 2876

November 10, 2007

